

Exhibit A

**IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

ASBURY AUTOMOTIVE GROUP, INC.,

Plaintiff,

v.

CDK GLOBAL, LLC,

Defendant.

CIVIL ACTION

FILE NO.: 24-A-04939-3

ORDER HOLDING COUNSEL FOR TEKION CORP. IN CONTEMPT OF COURT

On May 27, 2025, beginning at 9:00 a.m., the Court held an evidentiary hearing to address Asbury Automotive Group, Inc.'s ("Asbury") November 27, 2024 Motion for Modification of Order for Preliminary Injunction. The Court also heard argument on CDK Global, LLC's ("CDK") May 13, 2025 Emergency Motion for Sanctions Due to Plaintiff's Purging of Evidence and CDK's March 11, 2025 Motion to Compel Discovery and for Attorneys' Fees.

Throughout this day-long hearing, the parties displayed and discussed materials that had been designated Confidential and/or Attorneys' Eyes Only under the August 20, 2024 Stipulated Protective Order.

Anticipating that presentation of highly sensitive and confidential information, the Court made an announcement at the beginning of the proceedings for any individual in the courtroom who was not an attorney or representative of CDK or Asbury to identify themselves so the Court could take appropriate measures to protect the parties' confidential information. No one identified themselves.

After 5:00 p.m., it was brought to the Court's attention that, despite the Court's clear directive for any non-parties to identify themselves, an attorney for non-party Tekion Corp. ("Tekion") failed to identify herself and had remained present in the courtroom the entire day. That

individual identified herself as Erica R. Sutter, California Bar No. 309182, of the law firm Fenwick & West LLP (“Tekion Counsel”).

The Court allowed the Tekion Counsel to speak on the record to address her undisclosed presence in violation of the Court’s clear directive. Based on the Tekion Counsel’s representations, the Court finds that the Tekion Counsel:

1. represents Tekion;
2. failed to disclose her presence in the courtroom after hearing the Court’s directive;
3. observed the hearing in its near entirety, including the Confidential and/or Attorneys’ Eyes Only documents and information presented;
4. took multiple pages of handwritten notes during the hearing; and
5. reported details about the hearing to her colleagues at Fenwick who also represent Tekion.

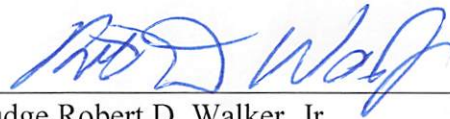
Based on the foregoing, the Court finds the Tekion Counsel in contempt of Court for violating the Court’s directive. Accordingly, the Court hereby **ORDERS** the following sanctions:

1. That the Tekion Counsel shall not disclose or communicate either orally or in writing any information about CDK or Asbury observed or learned during the hearing to any person, including but not limited to any employee or representative of Tekion or Fenwick & West LLP;
2. That the Tekion Counsel provide her handwritten notes from the hearing to the Court, which she did on May 27, 2025, and which the Court destroyed;
3. That the Tekion Counsel shall immediately destroy any other written materials, documents, notes, photographs, or recordings from or about the hearing; and
4. That the Tekion Counsel shall not participate as counsel for Tekion in *CDK Global, LLC v. Tekion Corp.*, No. K24M-12-010 AMF (Delaware Superior Court) or *Tekion Corp. v. CDK Global, LLC*, No. 3:24-cv-08879 (N.D. Cal.).

The Court **ADVISES** the Tekion Counsel that any violation of this Order may result in her being summoned to reappear before this Court to show cause why the Court should not impose additional sanctions.

The Court further **ORDERS** that CDK shall promptly provide a copy of this Order to the Delaware Superior Court and the United States District Court for the Northern District of California in the matters referenced above.

SO ORDERED, this 28th day of May 2025.

A handwritten signature in blue ink, appearing to read "Robt D Walker", is written over a horizontal line.

Judge Robert D. Walker, Jr.
Superior Court of Gwinnett County, Georgia
By Designation

Prepared By:

Fredric J. Bold, Jr.
Georgia Bar No. 544604
GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
Atlanta, Georgia 30305
Tel: 678.553.2100
rick.bold@gtlaw.com

Counsel for CDK Global, LLC

Copies to: All counsel of record and pro se parties, if any